

AGENDA



Thursday, July 27, 2006

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**Zoning Ordinances / Restrictive Covenants
(HEARINGS CLOSED)
RECOMMENDATION FOR COUNCIL ACTION**

ITEM No. 115

Subject: C14-06-0090 - 5401 Riverside Drive - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5401 Riverside Drive (Country Club Creek Watershed) from limited office (LO) district zoning to limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. First reading approved on June 22, 2006. Vote: 7-0. Applicant: BRTS Joint Ventures (H.C. Bell). Agent: David Armbrust. City Staff: Robert Heil, 974-2330.

**Additional Backup
Material**

(click to open)

 [Staff Report](#)

For More Information: Robert Heil, 974-2330.

SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-06-0090 - 5401 Riverside Drive

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5401 Riverside Drive (Country Club Creek Watershed) from limited office (LO) district zoning to limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning.

DEPARTMENT COMMENTS:

This case is related to C14-06-0091.

The site is currently zoned LO and is undeveloped. North of the property is an existing single family neighborhood on PUD and SF-3 zoned land. To the west of the subject tract is a fire station on public land (zoned P). To the south the property is an existing elementary school. East is undeveloped property currently zoned LO.

The project is part of the East Riverside / Oltorf Combined Neighborhood Planning Area. The Planning Commission approved Future Land Use Map calls for mixed use on this site.

OWNER: BRTS Joint Ventures (H.C. Bell).

AGENT: David Armbrust

DATE OF FIRST READING: June 22, 2006 Approved staff's recommendation of LO-MU-CO on first reading on consent (7-0)

PLANNING COMMISSION ACTION: June 13, 2006: Approved staff's recommendation of LO-MU-CO on consent 8-0.

CITY COUNCIL ACTION: July 27, 2006

ORDINANCE NUMBER:

ASSIGNED STAFF: Robert Heil, e-mail: robert.heil@ci.austin.tx.us

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0090

PC Date: May 23, 2006
June 13, 2006

ADDRESS: 5401 Riverside Drive

OWNER/APPLICANT: BRTS Joint Ventures (H.C. Bell)

AGENT: David Armbrust

ZONING FROM: LO

TO: LO-MU-CO

AREA: 14.755 acres

SUMMARY STAFF RECOMMENDATION:

Staffs recommends approval of the applicant's request to Limited Office-Mixed Use-Combining District (LO-MU-CO) combining district. The conditional overlay would limit the trips to less than 2000 vehicle trips per day.

PLANNING COMMISSION RECOMMENDATION:

May 23, 2006: Postponed to June 13 by commission

June 13, 2006: Approved staff's recommendation of LO-MU-CO on consent 8-0.

DEPARTMENT COMMENTS:

This case is related to C14-06-0091.

The site is currently zoned LO and is undeveloped. North of the property is an existing single family neighborhood on PUD and SF-3 zoned land. To the west of the subject tract is a fire station on public land (zoned P). To the south the property is an existing elementary school. East is undeveloped property currently zoned LO.

LO zoning on the subject tract would provide an appropriate transition between the higher intensity uses to the east and less intense uses to the west. Mixed Use, which would allow for residential uses would be appropriate for the site.

The project is part of the East Riverside / Oltorf Combined Neighborhood Planning Area. The Planning Commission approved Future Land Use Map calls for mixed use on this site.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO	Undeveloped
<i>North</i>	SF-3 and PUD	Single Family Residence
<i>South</i>	LO	Elementary School
<i>East</i>	LO	Undeveloped
<i>West</i>	P, GO-MU-CO, LO	Fire Station and Offices uses.

AREA STUDY: Pleasant Valley Neighborhood Planning Area **TIA:** N/A

WATERSHED: Country Club Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY:** No

REGISTERED NEIGHBORHOOD ORGANIZATIONS:

- Southeast Austin Neighborhood Alliance (189)
- Crossing Garden Home Owners Association (299)
- Terrell Lane Interceptor Association (300)
- Barton Springs / Edwards Aquifer Conservation District (428)
- Austin Neighborhoods Council (411)
- Montopolis Area Neighborhood Alliance (634)
- Riverside Farms Road Neighborhood Association (934)
- P.O.D.E.R. (People Organized in Defense of Earth and her Resources (972)

SCHOOLS: (AISD)

Allison Elementary School Martin Middle School Johnston High School

CASE HISTORIES:

There is an application on the adjacent property at 5701 E. Riverside Drive, from LO to LO-MU-CO. Staff recommends LO-MU-CO on that site.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO	SIDEWALKS
E Riverside Drive	134'	Varies	Arterial	Yes #60	Yes (#26)	No
Faro Drive	60'	40'	Collector	No	No	Yes

C14-06-0090

CITY COUNCIL DATE: **ACTION:**

June 22, 2006: **Approved staff's recommendation of LO-MU-CO on
consent (7-0)**

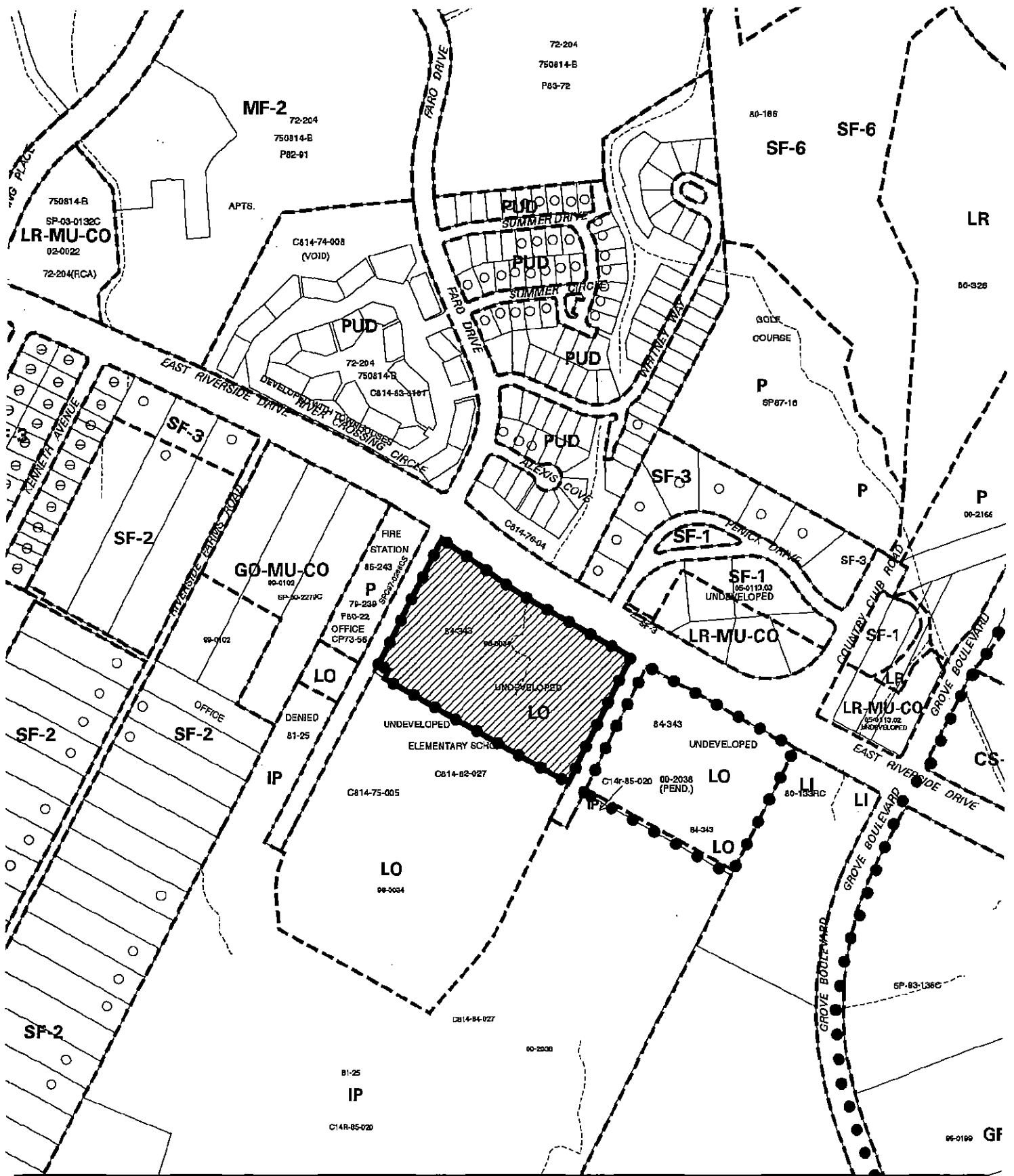
July 27, 2006:





ORDINANCE READINGS: 1st 6/22/06 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Robert Heil
e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330



 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: R.HEIL	  	ZONING CASE #: C14-06-0090 ADDRESS: 5401 E RIVERSIDE DR SUBJECT AREA (acres): 8.436	DATE: 06-07 INTLS: SM	CITY GRID REFERENCE NUMBER K19
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This is a high-contrast, black and white aerial photograph of a residential neighborhood. The image shows several houses, streets, and large areas of trees. Two white rectangular labels with black text are overlaid on the image. The label on the left points to a property, and the label on the right points to another property. The text on the labels is oriented vertically. The background image shows a mix of built-up areas and natural vegetation.

C14-06-0090
5401 E Riverside

C14-06-0091
5701 E Riverside

SUMMARY STAFF RECOMMENDATION

Staffs recommends approval of the applicant's request to Limited Office-Mixed Use-Combining District (LO-MU-CO) combining district. The conditional overlay would limit the trips to less than 2000 vehicle trips per day.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses and development intensities.*

LO zoning on the subject tract would provide an appropriate transition between the higher intensity uses to the east and less intense uses to the west. Mixed Use, which would allow for residential uses would be appropriate for the site.

2. *Zoning should be consistent with an adopted study or neighborhood plan.*

The East Riverside neighborhood plan draft land use plan calls for this property to remain as an "Office" land use. However, that plan has yet to be adopted and is still under discussion

EXISTING CONDITIONS

Site Characteristics

This case is related to C14-06-0091.

The site is currently zoned LO and is undeveloped. North of the property is an existing single family neighborhood on PUD and SF-3 zoned land. To the west of the subject tract is a fire station on public land (zoned P). To the south the property is an existing elementary school. East is undeveloped property currently zoned LO.

LO zoning on the subject tract would provide an appropriate transition between the higher intensity uses to the east and less intense uses to the west. Mixed Use, which would allow for residential uses would be appropriate for the site.

Site Plan

This site is located on a Scenic Roadway, E. Riverside Dr.

- The site is subject to compatibility standards. Along the north property line, the following standards apply:
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the SF-3 property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

- Riverside Drive is a scenic roadway. Additional design regulations will be enforced at the time a site plan is submitted.

Transportation

The Austin Metropolitan Area Transportation Plan calls for a total of 200 feet of right-of-way for Riverside Drive. Additional ROW dedication will be required during the subdivision or site plan process. [LDC, Sec. 25-6-51 and 25-6-55)

Additional right-of-way may be required at the time of subdivision and/or site plan.

The trip generation under the requested zoning is estimated to be 9,548 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO	SIDEWALKS
E Riverside Drive	134'	Varies	Arterial	Yes	Yes	No
Faro Drive	60'	40'	Collector	No	No	Yes

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustment are required, the landowner will be responsible for all costs and providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin utility design criteria and specifications.

The landowner must pay all required water and wastewater utility tap permit, impact, construction inspection, and utility plan review fees.

Environmental

1. The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Country Club Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of

the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

2. According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.
3. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
4. At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
5. Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:
 - Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.
6. At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-06-0090

Contact: Robert Heil, (512) 974-2330

Public Hearing:

June 13, 2006 Planning Commission

Barb Fox

Your Name (please print)

☒ I am in favor
☐ I object

1615 Whithney Way Austin, TX 78741

Your address(es) affected by this application

Barb Fox 6-6-06

Signature

Date

Comments:

had the support of the
neighborhood southeast coalition

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Robert Heil

P. O. Box 1088

Austin, TX 78767-8810